

240.

A  
L E T T E R

FROM

Lieut. Gen. Sir HENRY CLINTON, K. B.

TO THE

COMMISSIONERS

OF

PUBLIC ACCOUNTS,

RELATIVE TO

Some Observations in their Seventh Report,

Which may be judged to imply Censure on the  
late COMMANDERS in CHIEF of His MAJESTY'S  
Army in NORTH AMERICA.



L O N D O N :

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M,DCC,LXXXIV.

REPORT

OF

THE COMMISSIONERS

OF THE LAND OFFICE

IN RESPONSE TO A RESOLUTION

PASSED BY THE HOUSE OF COMMONS

IN THE YEAR 1841

AND IN THE YEAR 1842

AND 1843

AND 1844

AND 1845

AND 1846

AND 1847

AND 1848

AND 1849

AND 1850

AND 1851

AND 1852

AND 1853

AND 1854

AND 1855

AND 1856

AND 1857

AND 1858

AND 1859

AND 1860



## ADVERTISEMENT.



**SIR HENRY CLINTON** having applied to the Commissioners appointed to examine the Public Accounts, and desired he might have the same opportunity that they had given to Sir William Howe and others, of explaining the management of the Extraordinary Expences of the Army late under his command in America, representing that his conduct seemed to be censured by them in their Seventh Report on partial and inadequate information; Sir Henry Clinton, instead of being examined upon oath, which he solicited, was answered by the Commissioners, that it was not in their power now to admit as evidence certain papers and reports alluded to in the Letter to them, part of which are herewith published; acknowledging at the same time that these papers had not been laid before them, and adding that they could not revise or amend their Seventh Report, without an order from the Legislature. He therefore begs leave to lay before the Public a copy of his Letter to the Commissioners as the only means now left him of removing any impressions the Report may have made unfavourable to his character for care and attention in the expenditure of the Public Money.



A  
L E T T E R, &c.

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Dover-Street, 16th May, 1784.

GENTLEMEN,

I HOPE you will excuse the liberty I take of representing to you my desire of stating a few facts, which your Reports make it necessary should be known. I had flattered myself I should have been summoned before you, and that the same advantage of explanation would have been granted to me which has been given to Sir William Howe, Earl Cornwallis, and others. This advantage I now find myself pressed to solicit, not only by the apprehension that

your commission may soon finally close, but from my having within these few days looked into the papers annexed to your Seventh Report, where I found some which surprised me very much.

I served from the first to the last of the late unfortunate war in America, and was four years (out of the eight which it lasted) chief in command. It would have been but fair therefore, I humbly presume, to suppose that I not only profited by my own observations in so long a service, but that I availed myself of the aid of all the experience, which establishment and long residence had given to others whom I found there. The fact is that I certainly did so; and being aware of the possibility of frauds in the expenditure of the public money, I took such measures as appeared to me most likely to prevent them. I was conscious, however, that, had I been ever so competent to the examination of such complicated disbursements,

disbursements, the other various and important duties attendant on the command of a large army rendered such application of my time totally impossible. Wherefore I was very early anxious that a commissary of accounts should be nominated to assist me therein. Major Drummond was accordingly, in consequence of my recommendation, appointed to that office in February, 1779; but (through some misapprehension perhaps of the sufficiency of his powers) he did not act until about July, 1781, which was undoubtedly of some detriment to the service.

There are some observations in your Seventh Report, which there can be little doubt but the world must conceive to imply censure on the commander in chief. But I am persuaded, gentlemen, that, had you read all the papers which I transmitted from time to time to the Treasury, and particularly the following report of a board  
of

of general officers and magistrates, who were employed by my order in the investigation of the public accounts for several months ; and which report was sent by me to the Lords of the Treasury six months before the date of your Seventh Report ; you would not probably have introduced into it as a charge, “ That though the  
 “ number of the forces decreased every year  
 “ from 1778, the issue for the extraordinary  
 “ services of the army increased ;” without at least suffering its explanation to accompany it, as stated in the report of the aforementioned board, under the signature of Lieutenant General Robertson, whom I was induced to appoint president of it, on account of his long residence in North America. You seem likewise to impute to me as a crime, “ the not granting final  
 “ warrants ;”—from your not considering, I presume, that, after a commissary of accounts was nominated and acting, I could not with propriety give final warrants until  
 the



the accounts of the respective departments requiring them had been examined, audited, and certified by that officer. But, had you been pleased to read the papers transmitted to the Treasury, you would have seen I did so, the instant the proper certificates were annexed to them.

*Extract from a report made to General Sir HENRY CLINTON, K. B. by a board of general officers and magistrates appointed by his order, on the 7th August, 1781, to receive such information as Major DRUMMOND, commissary of accounts, shall lay before them, touching the expenditure of public money in the different departments, which the commander in chief found established in this army, upon his succeeding to the command of it.\**

\* This appears to be such an examination as the commissioners of accounts, in their Seventh Report, have wished the accounts of the army in America may be referred to: so that I have fortunately in this instance anticipated their wishes.

New-

New-York, " Tuesday 4th December, 1781.

" The board met agreeable to orders  
" from his Excellency General Robertson.

" P R E S E N T.

" His Excellency Lt. Gen. ROBERTSON,

" Lieut. Gen. CAMPBELL,

" Major Gen. PATERSON,

" The Hon. ANDREW ELLIOT, Esq.

" The board having considered the pa-  
" pers and examinations brought before  
" them relative to the comparative state  
" of expences incurred from 31st Decem-  
" ber, 1775, to the 16th May, 1778, the  
" time of Sir William Howe's command,  
" and of what was paid by Sir Henry  
" Clinton, between the 26th May, 1778,  
" and the 31st December, 1780, the first  
" being two years and five months, and  
" the other two years and seven months.  
" The warrants granted during the first  
" period, amount to £.1,079,412—during  
the

“ the second period, the warrants amount  
 “ to £. 3,278,429—the difference being  
 “ £. 2,199,017—the board report,

“ That the great national expence in the  
 “ first period of Sir William Howe’s com-  
 “ mand arose from the whole navy and a  
 “ very numerous fleet of transports being  
 “ employed in attending the movements of  
 “ the army, no part of which appears in Sir  
 “ William Howe’s warrants.

“ That the expence of the quarter-master  
 “ general, barrack-master general, and en-  
 “ gineer departments were necessarily small  
 “ while the troops were on board ships, or  
 “ had their supplies from transports.

“ It is observed, that during part of the  
 “ first period the great article of expence,  
 “ *Rum*, was provided for by a contract  
 “ made at home and paid for there—  
 “ whereas during the second period the

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rum

“ rum was purchased by the commissary  
“ general, and paid for by the commander  
“ in chief's warrants.

“ A very large quantity of provisions pur-  
“ chased during the latter period, swells the  
“ amount of the warrants.

“ But what destroys a possibility of draw-  
“ ing any just conclusion from a comparison  
“ of the amount of the warrants in these  
“ two periods, arises from this, that a great  
“ part of the expence incurred by Sir Wil-  
“ liam Howe was paid by warrants granted  
“ by Sir Henry Clinton.

(Signed) JAMES ROBERTSON,  
President.”

I come now, gentlemen, to some other  
observations in your Seventh Report, founded  
upon Earl Cornwallis's examination before  
you upon oath, and the orders he issued the



23d December, 1780; which are the papers that so much astonished me. The part of the examination which I shall at present take notice of is in the following words.

“ Another object of these orders was the  
 “ commissary general. He had observed  
 “ that it had been the custom for the regi-  
 “ mental quarter-masters, when they re-  
 “ ceived provisions from the commissary ge-  
 “ neral, to give him receipts for a complete  
 “ ration, without distinguishing whether it  
 “ consisted of provisions received from Eu-  
 “ rope, or procured in the country.  
 “ Whereas the latter were often got for no-  
 “ thing, or at a price inferior to that of the  
 “ European ration. To remedy this evil,  
 “ he issued those orders relative to the com-  
 “ missary general.

“ To prevent provisions taken from the  
 “ country, and either not paid for, or paid  
 “ for at a certain price, from being charged

“ to the account of the public either at all,  
 “ or at a greater price than they were pur-  
 “ chased at, he appointed commissaries of  
 “ captures, who collected provisions from  
 “ the country, and gave receipts for them  
 “ to those persons only who were friends;  
 “ and delivered out those provisions to the  
 “ troops without taking receipts for them.  
 “ By which means those receipts only given  
 “ to the proprietors of the provisions could  
 “ be brought in charge against the public.”

I subjoin likewise the part of the orders  
 referred to in the above examination, that  
 the whole may be brought into one point  
 of view.

“ Head Quarters, Wynneſborough,  
 23d December, 1780.

“ As I conſider myſelf a ſteward for the  
 “ public money expended by the troops  
 “ under my command, I think myſelf  
 “ bound by the duty I owe my country  
 “ to

“ to regulate the charges to be made by the  
 “ different departments.

“ The commissary general is not to charge  
 “ government for the complete ration deli-  
 “ vered to the soldier, unless such ration is  
 “ supplied from the stores sent from Eng-  
 “ land. Whenever he delivers to them  
 “ fresh provisions, he must only charge to  
 “ them the real amount of what he pays for  
 “ the cattle, for which the receipts of the in-  
 “ habitants will be his vouchers. The same  
 “ rule must be strictly observed in the deli-  
 “ very of flour and India meal.”

Upon which order and examination your  
 board is pleased to make the following re-  
 marks.

“ But we found, *at one period only*, orders  
 “ relative to the point immediately under  
 “ our consideration. These orders were  
 “ issued by Lord Cornwallis, are dated the  
 “ 23d

“ 23d December, 1780, and contain matter  
“ very important to the subject before us.

“ These orders are levelled at abuses at  
“ that time existing ; and these abuses all  
“ tend to the defrauding of the public for  
“ private emolument.

“ We are therefore of opinion, that the  
“ orders of the 23d December, 1780,  
“ should be put in force forthwith through-  
“ out the whole army.”

Whatever impression may have been intended to be given by Earl Cornwallis's order of the 23d December, 1780, and his subsequent examination before your board ; they seem at least to have produced the opinion in you, gentlemen, that the order relative to the commissary general's department originated with his lordship, and that it was levelled at an abuse at that time existing, to which his lordship was the *first* who applied a remedy—



a remedy—and consequently implying a censure of neglect in those who had the supreme command in America. You will therefore not wonder at my being anxious to do away any impression injurious to me that your Reports (which have been so well received by the public) may give. I have that confidence, however, in your candor, that I trust no such neglect would ever have been imputed to me, had you been pleased to grant the same advantage of examination to me which you gave to Earl Cornwallis. For you might then have had an opportunity of knowing that *his lordship's* were not the *only orders* issued relative to the point immediately under your consideration; but that orders of similar effect to those you are pleased to call important (the merit of which Earl Cornwallis has assumed to himself) had been issued by me before his lordship arrived in America in July, 1779, and nearly eighteen months before the date of his order; and that I had particularly endeavoured

to

to guard against the possibility of the abuse in question, by giving all necessary orders for that purpose before I quitted Charlestown in June, 1780, when I left his lordship in that command. So that there could not have been the least necessity for Lord Cornwallis's order of the 23d December, 1780, as far as regards the commissary general, if the previous orders given by me had been properly attended to by his lordship. You would have likewise known, gentlemen, that, though I might not have thought it right to assert the existence of flagrant abuses without competent proof, yet, judging it possible that all the fresh provisions taken from the enemy might not always have been carried to the public credit, I appointed commissaries of captures on the 14th February, 1780, with the intention of supplying the army with captured provisions gratis, and of saving the public provisions. From that day, at least as long as my orders were obeyed, all the fresh provisions taken from  
the

the enemy were issued to the troops by the commissaries of captures alone, and a great saving accrued in consequence to government and the troops\*, as may better appear by inserting extracts from the orders, &c. of that period.

*Extracts from Sir HENRY CLINTON's Orders.*

“ Head Quarters, Phillipsburgh,  
July 2d, 1779.

“ Whenever any cattle is drove in for the  
“ use of the army in future, they are to be  
“ put under the care of a proper guard, and

\* As it appears by the report of a board of field officers who met at Charlestown in July, 1782, to inspect the commissaries of captures accounts, that 797,464 rations of fresh provisions had been issued by them to the army, navy, and hospitals, exclusive of the issues between the 14th February and 24th June, 1780, before accounted for in Lieut. Grattan's accounts, amounting to 164,000 more, which of course prevented the consumption of so much salt provisions, the saving to the public may be estimated at the gross sum that quantity of salt provisions would have cost government by the time it was delivered to the troops in America.

C

“ a return

“a return of them to be sent to the commander in chief previous to any distribution.”

“ July 7th, 1779.

“ Whenever any cattle, rebel property, are brought in by parties from any detachment of the army, they are to be delivered to a guard at the quarters of the general officer commanding that detachment, who will distribute them to the troops in such proportions as he shall think proper.”

“ Head Quarters, South-Carolina,  
12th February, 1780.

“ To prevent a waste which might prevent the army of an ample supply of fresh provisions, and to avert undistinguishing oppression from the inhabitants, the commander in chief requires great watchfulness from every officer to restrain from marauding.

“ Orders are given to collect cattle as speedily as possible, and the commander  
“ in



“in chief promises that the soldiers shall receive fresh meat as often as the country will admit of it, and in a larger proportion than the commissary’s usual ration.”

“ Wilson’s Farm, 14th February, 1780.

“ Captain Moncrieffe and Major Hay are appointed commissaries of captures.

“ Serjeant-major Sutherland, of the Royal Fuzileers, is appointed assistant commissary of captured cattle for the army under the above gentlemen.

“ No cattle to be driven in by soldiers, unless when detachments may be ordered for that service.

“ It will be the care of the commissaries of captures to procure cattle for the army, and the ration of fresh meat will be one pound and half per man.

“ When captured provisions are issued, the overplus of the stoppage from the army, beyond the proportion which is paid for bread, shall be ascribed to some chari-

“ table fund in favor of the soldiers at the  
“ close of the campaign.”

*Extract from a letter written by Mr.  
TOWNSEND, who was chief in the com-  
missarial line on this expedition, to the adju-  
tant general, dated 15th February, 1780.*

“ I was extremely hurt to find myself in  
“ a great measure superseded by the general  
“ orders of yesterday. The care of providing  
“ fresh provisions, forage, &c. for the army  
“ is very particularly committed to Mr.  
“ Wier by his commission. I have a com-  
“ mission of assistant commissary ; and am  
“ appointed by Mr. Wier to act for him in  
“ every respect on this expedition ; and took  
“ a gentleman with me with proper assistance,  
“ on purpose to take charge of the live cattle.”

(Signed) GREGORY TOWNSEND.

*Extract from the adjutant general's letter in  
answer, 16th February, 1780.*

“ Nothing is further from the commander  
“ in

“ in chief’s intention than to make any  
 “ dissatisfaction with you, or supersede you  
 “ in your office. When therefore you un-  
 “ derstand, that all that is intended is the  
 “ appointing of persons to distribute to the  
 “ army what is not paid for, you will, I am  
 “ sure, not blame the measure ; but, on the  
 “ contrary, be satisfied with so considerable a  
 “ saving to government. Mr. Wier knew  
 “ of the general’s wish to make such an ap-  
 “ pointment, and approved of it at New-  
 “ York ; where it would have been carried  
 “ into execution, had we made a forward  
 “ move.”

(Signed) JOHN ANDRÉ.

*Extract from Mr. TOWNSEND’S answer,*  
*17th February, 1780.*

“ I am quite satisfied, and am sorry I  
 “ gave you the trouble.”

*Extracts*

*Extracts from the Orders.*

“Fenwick’s House, 18th February, 1780.

“ All officers, who being detached, when  
 “ giving receipts for provisions for the troops,  
 “ are on the back particularly to specify the  
 “ number of men for which they drew, and  
 “ what company they belong to.”

“ Williams’s House, 8th April, 1784.

“ The paymasters of the 7th, 33d, and  
 “ 71st regiments are requested to assemble at  
 “ eleven o’clock to-morrow morning at head-  
 “ quarters, to fix a mode of realising to the  
 “ benefit of the army the sum arising to the  
 “ soldiers on account of captured provisions,  
 “ for which they are not to be put under  
 “ stoppages.

“ The commander in chief is pleased to  
 “ confirm the appointment of Doctor Frazer,  
 “ as commissary of captures.”



12th April, 1780.

# REPORT.

“ Agreeable to the directions of the com-  
 “ mander in chief, we have consulted on  
 “ what we judge the best method of reali-  
 “ sing the amount of stoppages for captured  
 “ provisions, and placing the funds arising  
 “ therefrom. And we are unanimously of  
 “ opinion, that the paymaster general should  
 “ retain no more from the subsistence than  
 “ the amount of stoppages for crown provi-  
 “ sions; and that the amount of stoppages  
 “ for captured provisions should be received  
 “ by the paymasters of the several regiments,  
 “ and paid by them into the hands of any  
 “ person that his excellency the commander  
 “ in chief shall please to appoint to receive  
 “ it from them.”

(Signed) WM. DANSEY, Maj. 33d Reg.

J. HARRISON, P. Mr. R. F.

J. GRANT, P. Mr. 1st Batt. 71st.

T. FRASER, P. M. 2d Batt. do.

G. TOWNSEND, Aff. Com. Gen.

“ The

“ The commander in chief approves of  
“ the above opinion, and requests a field of-  
“ ficer from each of the following corps, viz.  
“ Light infantry, British grenadiers, Hessian  
“ grenadiers, and four regiments of the 3d  
“ line, will assemble at head-quarters tomor-  
“ row morning, and decide in what manner  
“ it shall be disposed of.”

April 23d, 1780.

*After Orders.*

“ The officers who met at head-quarters  
“ the 13th instant, to settle in what manner  
“ the sum arising to the army on account  
“ of captured provision should be disposed  
“ of, are requested to meet again to-morrow  
“ morning at ten o'clock.”

May 4th, 1780.

“ The commander in chief wishes the  
“ field officers (who have assembled on this  
“ occasion) may give their opinion upon the  
“ following propositions, viz.

F I R S T.

FIRST.

“ To determine into whose hands the  
“ money arising from the savings of provi-  
“ sions issued by the commissary of captured  
“ cattle shall be paid.”

ANSWER.

“ Into Lieut. Grattan’s of the 64th regi-  
“ ment, to whom it is proposed to make an  
“ allowance of ten shillings per diem for his  
“ trouble, to be charged against this sav-  
“ ing.”

SECOND.

“ Whether it shall be distributed to the  
“ regiments at large, or that the whole or  
“ part shall be funded for the relief of wi-  
“ dows or orphans.”

ANSWER.

“ That, upon the settlement of the ac-  
“ counts every two months by a board pro-  
“ posed for this purpose, Lieutenant Grattan  
D “ shall

“ shall remit to the commanding officer of  
 “ each corps, on the present expedition, their  
 “ proportions, according to their several  
 “ strengths, of two thirds of the whole sum  
 “ that may be saved; which shall be dis-  
 “ posed of at their discretion in the first in-  
 “ stances for the relief of such objects in their  
 “ own corps as may be deserving, and then  
 “ for the benefit of the non-commissioned  
 “ officers and soldiers indiscriminately. Of  
 “ which a regular account is to be kept,  
 “ specifying the several sums and purposes  
 “ to which it shall be applied. And that  
 “ the remaining third, after being liable to  
 “ Lieutenant Grattan’s salary, shall be re-  
 “ served in his hands to answer such de-  
 “ mands as may be made upon it through  
 “ the abovementioned board upon the re-  
 “ commendation of his excellency the Com-  
 “ mander in Chief, Lieutenant General Earl  
 “ Cornwallis, or any of the general officers  
 “ serving upon the expedition; of which a  
 “ regular account is likewise to be kept.  
 “ And



“ And if, at the close of the present expedition, any balance shall then remain in Lieut. Grattan’s hands from this third, it shall also be distributed to the several corps in the proportion that they received their first dividend.”

### THIRD.

“ If it is funded, to appoint a board of a British, a Hessian, and a provincial field officer to direct the expenditure.”

### ANSWER.

“ Major M<sup>c</sup>Arthur of the 71<sup>st</sup> regiment for the British, Lieutenant Colonel Linfing of the grenadiers for the Hessians, and Lieutenant Colonel Turnbull of the New York volunteers for the provincials, are appointed a board to receive and inspect the accounts, settle the proportions to be distributed to the several corps, and to answer fully all the above purposes.”

FOURTH.

“ To settle upon what recommendation  
“ such a board is to administer relief.”

ANSWER.

“ Already answered in the reply to the  
“ 2d article.”

Signed, Alured Clarke, Lt. Col. Royal Fuz.  
H. Hope, Lt. Col. 1st Bat. B. Gren.  
Wm. Graffe, Lt. Colonel  
Alex. M'Donald, Lt. Col. 71st Reg.  
Wm. Linfing, Lieut. Col.  
J. Yorke, Lt. Col. 2d Bat. B. Gren.  
R. Abercrombie, Lieut. Col.  
J. Graves Simcoe, Lt. Col. Q. Rang.  
Th. Dundas, Lt. Col. 2d Light Inf.

May 21, 1784.

“ The Paymasters of regiments and corps  
“ are to deduct the amount of fresh rations  
“ from the list of rations given in by the  
“ commissary general, and to pay it every  
“ muster into the hands of Lieutenant Grat-  
“ tan

“tan of the 64th regiment, who will give  
 “receipts for the same, and account for it  
 “as ordered by the directions given in the  
 “orders of the 4th May, 1780.”

*Extract of a letter from Mr. Commissary  
 TOWNSEND to the adjutant general, dated  
 July 17th, 1780.*

“As I think the information will be a-  
 “greeable to his excellency, I have taken  
 “an account of the amount of stoppages  
 “for captured rations from the 14th Febru-  
 “ary to the 23d April—The amount from  
 “the 25th April to the 24th June cannot  
 “be ascertained at present, as it will be a  
 “work of time to settle what is to be deem-  
 “ed captured and what is to be paid for, of  
 “the provisions taken for the subsistence of  
 “Lord Cornwallis’s detachment in their  
 “long marches.”

(Signed) G. TOWNSEND.

The

The above orders, &c. will, I believe, sufficiently prove that the idea of a considerable saving to the public and the army, by the distribution of captured provisions, did not originate with Lord Cornwallis—and as most of the orders were issued when his lordship was acting under my immediate command, and in the same camp with me, he could not possibly be ignorant of their existence and purport. Wherefore surely his lordship's appointment of commissaries of captures (on which so much stress is laid in the examination) can be only regarded as a revival of mine; for which indeed I left him orders whenever he took the field, and found it necessary. I must therefore flatter myself, that you will see the propriety of furnishing me with an opportunity of explaining at least this matter, on which you seem to have given an opinion—formed, you will permit me to say, on *ex parte* evidence.

This is all, gentlemen, which I judge necessary to trouble you with at present. When

I am



I am admitted to an examination, I shall take the liberty of stating facts, which I fear may appear contradictory to some contained in your Report; but they shall be submitted with all deference to your acknowledged abilities.

I have the honor to be,

Gentlemen,

Your most obedient,

Humble servant,

(Signed) H. CLINTON.

Commissioners of Public Accounts,  
Office of Accounts,  
Surrey Street.



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